

REMARKS

Claims 1, 2, 4-12 and 26-29 are pending in the application. Claims 1, 2, 4 and 6-12 are rejected. Claim 5 is objected to. Claims 26-29 are allowed. Claims 2-25 are canceled. Claims 1 and 26-29 remain for consideration.

Claim Rejections – 35 USC §103(a)

The Examiner rejects claims 1, 2, 4 and 6-11 as being unpatentable over Yu (U.S. Patent Publication No. 2002/0072424) in view of You (U.S. Patent No. 5,997,970). The Examiner states that:

Yu discloses the use of carbon fibers. However, titanium fibers (which form a metallic screen) are also known and used in the art as disclosed by You. It would have been obvious to one of ordinary skill in the art to have used such fibers as Yu's fibers to obtain a particular strength/flexibility characteristic provided by those fibers. A layer with these fibers may be considered the claimed screen.

Concerning the arguments over the "recessed area", again, as noted in the previous action, Yu's cue includes a wooden portion 66 and fiber reinforced portions 68 and 64, which comprise fibers layered over a core portion at either side of the wooden portion. Where the 66, 68, and 64 meet there is a smooth transition as can be seen in Fig. 6. Therefore the fiber covered portions 64 and 68 necessarily require a recessed core portion relative to the wooden portion 66 to accommodate the increased diameter caused by the fiber portions which have an outer diameter which matches that of wooden portion 66 at their juncture points.

To further aid applicant in understanding the point attention is directed at Fig. 3 which shows the diameter of the core 24 where fiber layers are wrapped over it. To accommodate these fiber layers yet still present a cue section which smoothly

joins with a wooden section as disclosed in Fig. 6 this core portion must be recessed relative to the wooden section 66. Applicant's statement that the entirety of this embodiment is covered with fiber material is simply incorrect. Where in the discussion of Fig. 6 does applicant find this teaching?

Concerning the metallic screen, Yu discloses the use of carbon fibers. However, titanium fibers are also known and used in the art as disclosed by Yu. It would have been obvious to one of ordinary skill in the art to have used such fibers as Yu's fibers to obtain a particular strength/flexibility characteristic provided by those fibers. A layer with these fibers may be considered the claimed screen.

Regarding claim 2, Yu disclosing the claimed structure would inherently perform the claimed function.

Regarding claims 7-9, Yu discloses the use of carbon fibers. However, the examiner takes official notice that graphite, fiberglass, and Kevlar are commonly known and used in such applications as well. It would have been obvious to one of ordinary skill in the art to have used such fibers as Yu's fibers to obtain a particular strength/flexibility characteristic provided by those fibers.

Concerning claim 10, the examiner takes official notice that metal ferrules are commonly known and used in conjunction with cue tips to fasten such to the stick and it would have been obvious to one of ordinary skill in the art to have used the same to fasten Yu's tip.

Claim 1 is amended to include the limitations of dependent claim 5, which the Examiner has indicated to be allowable. Claim 1 is therefore submitted to be allowable.

Claims 2, 4 and 6-11 are canceled.

The Examiner rejects claim 12 as being unpatentable over Yu in view of Mancuso (U.S. Patent No. 3,462,147) and You. The Examiner states that:

Yu, as explained above, in his Fig. 6 embodiment discloses the claimed device with the exception of the rigid sleeves and metallic screen.

With regard to the rigid sleeves Mancuso teaches that it is known in the art to use such sleeves to join the cue sections together. It would have been obvious to one of ordinary skill in the art to have used such sleeves on Yu's stick as well to make it more portable.

Concerning the metallic screen, Yu discloses the use of carbon fibers. However, titanium fibers are also known and used in the art as disclosed by You. It would have been obvious to one of ordinary skill in the art to have used such fibers as Yu's fibers to obtain a particular strength/flexibility characteristic provided by those fibers. A layer with these fibers may be considered the claimed screen.

Claim 12 is canceled.

The Examiner objects to claim 5 as being dependent upon a rejected base claims. The Examiner states the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 is amended to include the limitations of claim 5. Amended claim 1 is submitted to be patentable.

Considering the foregoing, it is sincerely believed that this case is in condition for allowance, which is respectfully requested.

This paper is intended to constitute a complete response to the outstanding Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

Respectfully submitted,

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